

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

3.397 ACRES OF LAND, MORE OR LESS,
SITUATE IN HIDALGO COUNTY, STATE
OF TEXAS; AND ANDERSON T.
WILLIAMS, II, ET AL.,
Defendants.

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CASE NO.: 7:20-CV-391

COMPLAINT IN CONDEMNATION

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through [the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security], for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1358.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule “A.”

4. The public purpose for which said interest in property is taken is set forth in Schedule “B.”

5. The legal description and map or plat of land in which certain interests are being acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in

Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

By: *s/ Megan Eyes*
MEGAN EYES
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Facsimile: (956) 618-8016
E-mail: Megan.Eyes@usdoj.gov
Attorney in Charge for Plaintiff

SCHEDULE A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved May 5, 2017, as Public Law 115-31, div. F, tit. VI, 131 Stat. 135, 433, which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Hidalgo County, Texas

Tract: RGV-MER-4018

Owner: Anderson T. Williams, II, et al.

Acres: 1.101

Being a 1.101 acre tract (47,943 square feet) parcel of land, more or less, being a portion of the remaining portion of a called 555.3 acre tract, conveyed to Fred W. Turner, by deed recorded in Volume 561, Page 68 Deed Records of Hidalgo County (D.R.H.C.), Texas, said tract of land being a portion of Rosario Banco No.31, said 2.296 acre tract (100,033 square feet), Subsequent land transfer to 4 T-Ranches Book 1551 pg 940 in 1977 (Corp registration terminated by Dep of State for unknown reasons) resulting in unknown owners: parcel of land being more particularly described as follows;

Beginning at a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-10_ 4-1", said point having a coordinate of N=16550691.648, E=1 173028.658, said point being corner No. 12 of Rosario Banco No. 31 and also being corner No. 2 of a called 32.972 acre tract (Tract 377) conveyed to the United States of America by deed recorded in Volume 2887, Page 210; D.R.H.C., said point also being N 73°34'30" W, a distance of 2873.83 feet from United States Corps of Engineers Control Point No. H 119;

THENCE: S 02°26'59" W, along the eastern line of Rosario Banco No. 31 and west line of said Tract 3 77, passing at 79. 85 feet the south line of the river levee right-of-way conveyed to the United States of America by easement deed recorded in Volume 420, Page 599 ("9-H") D.R.H.C., continuing in all a distance of 158.89 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-10 _ 4-2" for the southeast corner of the herein described proposed acquisition tract;

THENCE: N 87°33' 01" W, departing the eastern line of Rosario Banco No. 31 and west line of said Tract 377, a distance of 26.30 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-10 _4-3", said point being on the riverside toe of the levee;

THENCE: N 12°14'47" W, along said toe of levee, a distance of 71.62 feet to an angle point;

THENCE: N 04°35' 15" W, along said toe of levee, passing at 14.10 feet the south line of the river levee right-of-way conveyed to the United States of America by easement deed recorded in Volume 420, Page 599 ("9-H") D.R.H.C., continuing in all a distance of 17.12 feet to an angle point;

SCHEDULE C (continued)

THENCE: N 60°38'00" W, along said toe of levee, a distance of 19.82 feet to an angle point;

THENCE: N 72°46'50" W, along said toe of levee, a distance of 44.52 feet to an angle point;

THENCE: N 17°37'36" W, along said toe of levee, a distance of 31.60 feet to an angle point;

THENCE: N 01°50'16" E, along said toe of levee, a distance of 5.94 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-10_4- 4" for an angle point, said point being on the riverside toe of the existing wall;

THENCE: N 82°35'50" W, along said toe of wall, a distance of 189.57 feet to an angle point;

THENCE: N 82°39'12" W, along said toe of wall, a distance of 412.99 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O- 10_4-5" for the southwest comer of the herein described proposed acquisition tract, said point being on a western line of Rosario Banco No. 31 and the east line of a called 34.83 acre tract of land conveyed to Julian Vera and Placido Vera by deed recorded in Volume 327, Page 563 D.R.H.C.;

THENCE: N 02°24'08" E, departing the toe of said wall and along said western line of Rosario Banco No. 31 and the east line of said Vera tract, a distance of 54.01 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-10_4-6" for the northwest comer of the herein described proposed acquisition tract; said point being S 02°24'08" W a distance of 39.05 feet from a found 3/4" iron pipe being used as the southwest comer of a called 293.38 acre tract of land conveyed to Neuhaus & Sons (Tract 111) by instrument number 2008-1885890 recorded in the Official Records of Hidalgo County (O.R.H.C.), Texas, said point also being on the landside toe of the levee;

THENCE: S 82°33' 42" E, departing said western line of Rosario Banco No. 31 and the east line of said Vera tract and said toe of levee, a distance of 200.29 feet to an angle point;

THENCE: S 84°53'58" E, along said toe of levee, a distance of 180.47 feet to an angle point;

THENCE: S 73°13' 32" E, along said toe of levee, a distance of 60.86 feet to an angle point;

THENCE: S 83°37'31" E, along said toe of levee, a distance of 159.57 feet to an angle point;

SCHEDULE C (continued)

THENCE: S 81°48'12" E, along said toe of levee, a distance of 182.69 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O- 10_4-7" for the northeast corner of the herein described proposed acquisition tract, said point being on the eastern line of Rosario Banco No. 31 between corner No. 11 and No. 12 and the north line of the United States of America Tract 377, said point being S 75°16 '05" W a distance of 120.58 feet from a found 3" Brass Cap in concrete known as corner 3 of said United States of America Tract 377;

THENCE: S 75°16' 05" W, along a southeastern line of Rosario Banco No. 31 and north line of said Tract 377, a distance of 64.02 feet to the **POINT OF BEGINNING** and containing 1.101 acres (47,943 square feet) of land, more or less.

TRACT: RGV-MER-4018-1

Owner: Anderson T. Williams, II, et al.

Acres: 2.296

BEING a 2.296 acre tract (100,033 square feet) parcel of land, more or less, being a portion of the remaining portion of a called 555.3 acre tract, conveyed to Fred W. Turner, by deed recorded in Volume 561, Page 68 Deed Records of Hidalgo County (D.R.H.C.), Texas, said tract of land being a portion of Rosario Banco No. 31, said 2.296 acre tract (100,033 square feet), Subsequent land transfer to 4 T Ranches Book 1551 pg 940 in 1977 (Corp registration terminated by Dep of State for unknown reasons) resulting in unknown owners: parcel of land being more particularly described as follows;

COMMENCING at a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-10_4-1", said point having a coordinate of N=16550691.648, E=1173028.658, said point being corner No. 12 of Rosario Banco No. 31 and also being corner No. 2 of a called 32.672 acre tract (Tract 377) conveyed to the United States of America by deed recorded in Volume 2887, Page 210 Deed Records of Hidalgo County (D.R.H.C.), Texas;

THENCE: S 02°26'59" W, along the eastern line of Rosario Banco No. 31, the east line of said Turner tract, and west line of said Tract 377, passing at 79.85 feet the south line of the river levee right-of-way ("9-H") conveyed to the United States of America by easement deed recorded in Volume 420, Page 599 Deed Records of Hidalgo County (D.R.H.C.), Texas, in total a distance of 158.89 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-10_4-2=RGV-MER-4007-2-1" for the **POINT OF BEGINNING** and the northeast corner of the herein described proposed acquisition tract, said point having being N 76°41'16" W a distance of 2839.65 feet from United States Corps of Engineers Control Point No. H119;

SCHEDULE C (continued)

THENCE: S 02°26'59" W, along the eastern line of Rosario Banco No. 31, the east line of said Turner tract and the west line of said Tract 377, a distance of 18.60 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-4007-2-2=RGV-MER-4008-11" for the southeast corner of the herein described proposed acquisition tract;

THENCE: N 82°35'50" W, departing the eastern line of Rosario Banco No. 31, the east line of said Turner tract and west line of said Tract 377, a distance of 321.20 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-4007-2-3" for an angle point;

THENCE: N 82°39'12" W, a distance of 399.87 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-4007-2-4" for the southwest corner of the herein described proposed acquisition tract, said point being on the western line of Rosario Banco No. 31, the west line of said Turner tract, and the east line of a called 34.83 acre tract, conveyed to Julian Vera and Placido Vera, by deed recorded in Volume 327, Page 563 Deed Records of Hidalgo County (D.R.H.C.), Texas;

THENCE: N 02°24'08" E, along the western line of Rosario Banco No. 31, the west line of said Turner tract, and the east line of said Vera tract, passing at 91.80 feet the south line of the said river levee right-of-way ("9-H"), in total a distance of 150.56 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-10_4-5=RGV-MER-4007-2-5" for the northwest corner of the herein described proposed acquisition tract, said point being on the riverside toe of a wall;

THENCE: S 82°39'12" E, along said toe of wall, a distance of 412.99 feet to an angle point;

THENCE: S 82°35'50" E, along said toe of wall, a distance of 189.57 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-10_4-4=RGV-MER-4007-2-6" for an angle point, said point being on the riverside toe of levee;

THENCE: S 01°50'16" W, departing said toe of wall and along said riverside toe of levee, a distance of 5.94 feet to an angle point;

THENCE: S 17°37'36" E, along said riverside toe of levee, a distance of 31.60 feet to an angle point;

THENCE: S 72°46'50" E, along said riverside toe of levee, a distance of 44.52 feet to an angle point;

THENCE: S 60°38'00" E, along said riverside toe of levee, a distance of 19.82 feet to an angle point;

SCHEDULE C (continued)

THENCE: S 04°35'15" E, along said riverside toe of levee, a distance of 17.12 feet to an angle point;

THENCE: S 12°14'47" E, along said riverside toe of levee, a distance of 71.62 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-10_4-3=RGV-MER-4007-2-7" for an angle point;

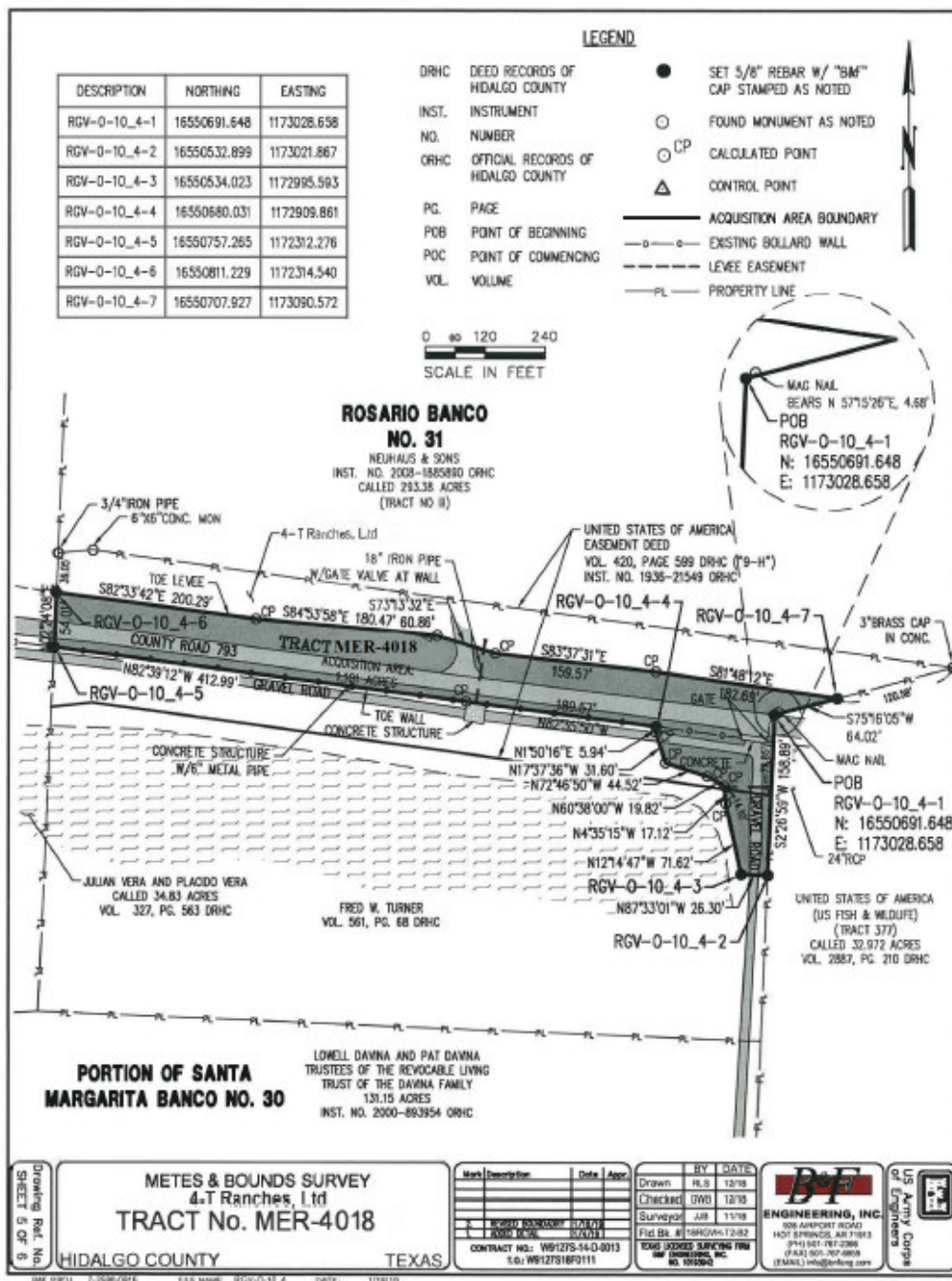
THENCE: S 87°33'01" E, a distance of 26.30 feet to the **POINT OF BEGINNING** and containing 2.296 acres (100,033 square feet) of land, more or less.

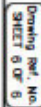
SCHEDULE D

SCHEDULE D

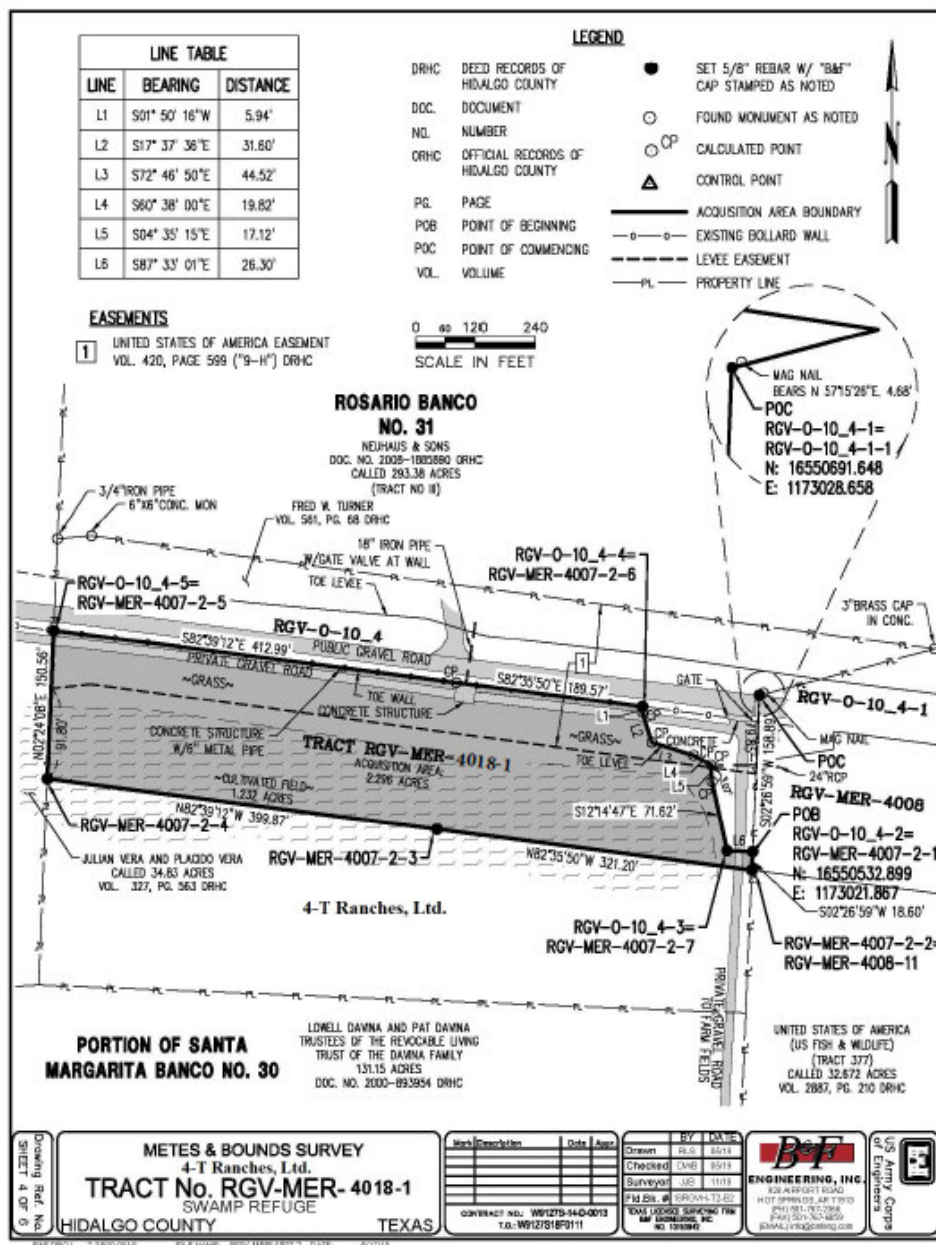
MAP or PLAT

LAND TO BE CONDEMNED





SCHEDULE D (continued)



SCHEDULE D (continued)

DESCRIPTION	NORTHING	EASTING
RGV-0-10_4-2=RGV-MER-4007-2-1	16550532.899	1173021.867
RGV-MER-4007-2-2=RGV-MER-4008-11	16550514.320	1173021.072
RGV-MER-4007-2-3	16550555.706	1172702.548
RGV-MER-4007-2-4	16550606.837	1172305.965
RGV-0-10_4-5=RGV-MER-4007-2-5	16550757.265	1172312.276
RGV-0-10_4-6=RGV-MER-4007-2-6	16550680.031	1172909.861
RGV-0-10_4-7=RGV-MER-4007-2-7	16550534.023	1172995.593

GENERAL SURVEYOR'S NOTES:

1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(54205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TxDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPERATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREB IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE REMAINDER OF THE FRED W. TURNER 555.3 ACRE TRACT, VOL. 561, PG. 68 DRHC WAS CALCULATED FROM FIELD DIMENSIONS.
5. FIELD SURVEY WAS COMPLETED IN NOVEMBER, 2018.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. B&F ENGINEERING, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORPS CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.
8. LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON SEPTEMBER 28, 2018 (TICKET NO. 1877192998).

Drawing Ref. No.
SHEET 5 OF 6

METES & BOUNDS SURVEY
4-T Ranches, Ltd.
TRACT No. RGV-MER- 4018-1
SWAMP REFUGE
HIDALGO COUNTY TEXAS

Mark	Description	Date	Appr.

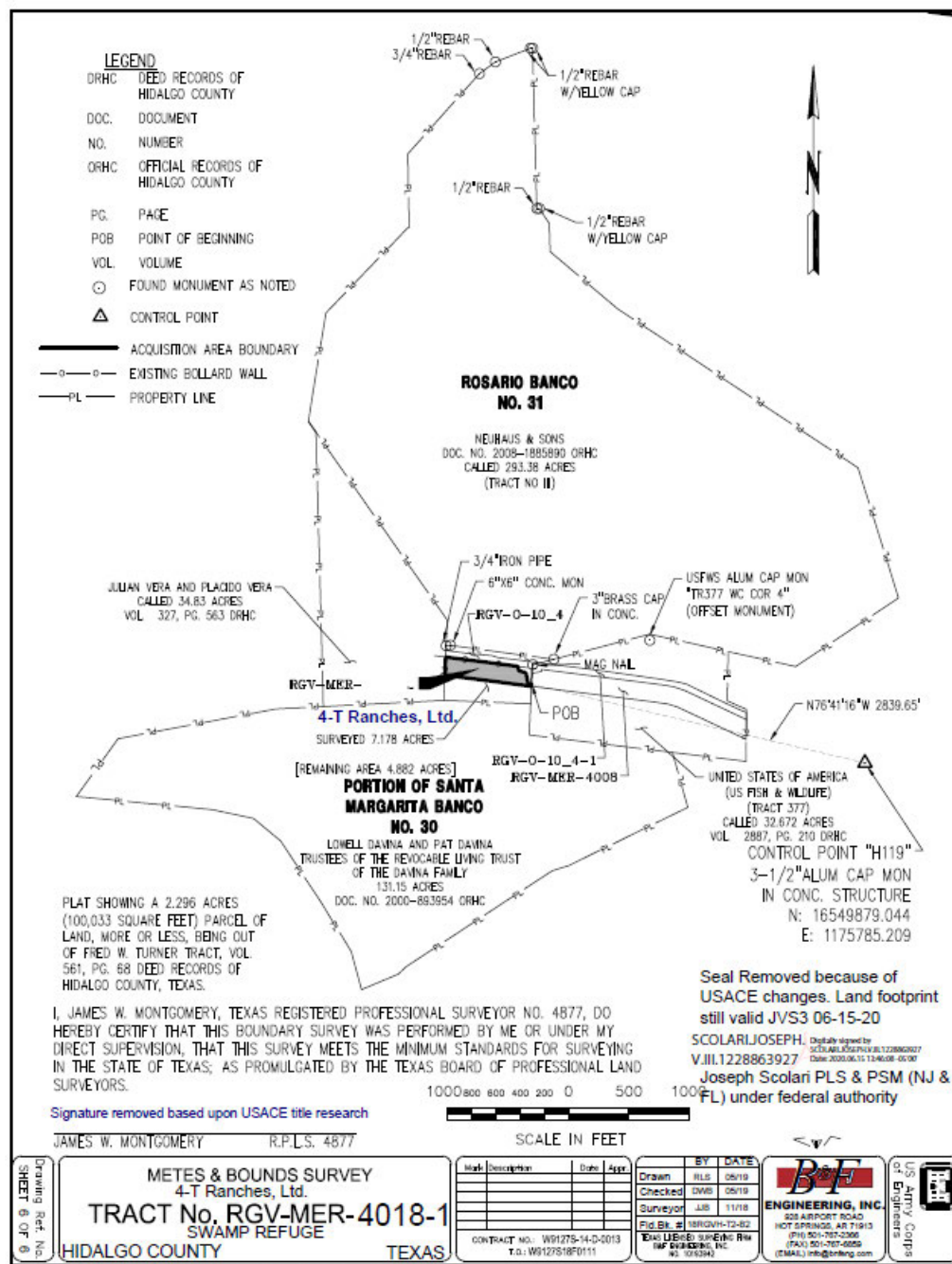
CONTRACT NO. W91275-14-D-0013
T.O. W9127518F0111

BY	DATE
Drawn	RLS 06/18
Checked	DWB 06/18
Surveyor	JLB 11/18
Fig. EN. 21	RGV-MER-4018-1
Drawn	RGV-MER-4018-1
Fig. EN. 21	RGV-MER-4018-1

B&F
ENGINEERING, INC.
328 AIRPORT ROAD
HOT SPRING, AR 71913
(PH) 501-767-0399
(FAX) 501-767-6859
(EMAIL) info@bmfeng.com



B&F PROJ. 7-2698-0916 FILE NAME: RGV-MER-4007-2 DATE: 5/17/19

SCHEDULE D (continued)

SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Tract: RGV-MER-4018

Owner: Anderson T. Williams, II, et al.

Acres: 1.101

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the lands described in conveyance recorded with Deed Records of Hidalgo County, Texas, volume 1551, page 940, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

Tract: RGV-MER-4018-1

Owner: Anderson T. Williams, II, et al.

Acres: 2.296

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the lands described in conveyance recorded with Deed Records of Hidalgo County, Texas, volume 1551, page 940, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

SCHEDULE E (continued)



SCHEDULE F

SCHEDULE F

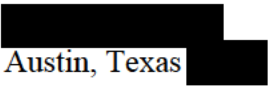
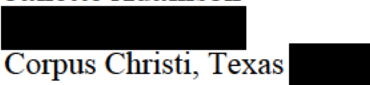
ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is THIRTEEN THOUSAND THREE HUNDRED EIGHTY SEVEN DOLLARS AND NO/100 (\$13,387.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE G

SCHEDULE G**INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. See Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
Anderson T. Williams, II  Austin, Texas	RGV-MER-4018 and RGV-MER-4018-1 Correction Warranty Deed filed 11 November 1977 in Volume 1551, Page 940 in Hidalgo County, Texas Estate of Janette Turner Lynn a/k/a Jan Turner Williams
Janette Adamson  Corpus Christi, Texas	RGV-MER-4018 and RGV-MER-4018-1 Correction Warranty Deed filed 11 November 1977 in Volume 1551, Page 940 in Hidalgo County, Texas Estate of Janette Turner Lynn a/k/a Jan Turner Williams
Pablo "Paul" Villarreal Jr, Hidalgo County Tax Assessor & Collector 2804 South Business Hwy 281 Edinburg, TX 78539	Tax Authority

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Megan Eyes, Assistant United States Attorney, SDTX, 1701 W. Bus.
Hwy. 83, Suite 600, McAllen, TX 78501

DEFENDANTS

3.397 ACRES OF LAND, MORE OR LESS, SITUATE IN HIDALGO COUNTY, STATE OF TEXAS; AND Anderson T. Williams, II, ET AL.,

County of Residence of First Listed Defendant HIDALGO
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act
REAL PROPERTY <input checked="" type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
		<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

40 U.S.C. 3113 and 3114

Brief description of cause:

Land condemnation proceeding for fee simple interest to construct, install, operate, and maintain border security

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$

UNDER RULE 23, F.R.Cv.P.

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

12/02/2020

SIGNATURE OF ATTORNEY OF RECORD

s/Megan Eyes

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE